

REGULAR MEETING
Mayor and Council
Borough of Harrington Park, New Jersey
March 15, 2021

PUBLIC NOTICE
BOROUGH OF HARRINGTON PARK
MEETING MOVED TO ELECTRONIC PLATFORM
“ZOOM.US”

Pursuant to Governor Murphy’s Executive Orders #107 and 108 ordering Statewide lockdowns, and P.L. 2020, c. 34 permitting public bodies to conduct meetings via electronic means during declared states of emergency, the meeting of the Borough of Harrington Park scheduled for **March 15, 2021 at 7:00 p.m.** will be conducted remotely from the electronic meeting platform Zoom.us. Members of the public can join the meeting and participate during public comment period by joining the meeting using the Zoom mobile application on a smartphone or tablet, joining the meeting by laptop with microphone capabilities, or dialing in using a telephone to the Zoom teleconference system. Information on how to join the meeting electronically appears below.

Members of the public may submit written comments in advance of a meeting, which will be read during the relevant public portion of the meeting. Written comments shall contain the person’s name and address and may be submitted via email to the Borough Clerk (clerk@harringtonparknj.gov) or by mail addressed to: Clerk, Borough Hall, 85 Harriot Ave., Harrington Park, NJ . Emailed comments must be received at least 48 hours prior to the meeting. Mailed comments must be received by 4:00 p.m. the day before the meeting.

If any meeting includes a public hearing, all material that will be considered by the Borough Council at the public hearing shall be posted on or linked to the homepage of the Borough’s website in a conspicuous location or as otherwise required by law. Written comments, as set forth above, will be accepted for such public hearings. If sworn testimony is to be taken during the public hearing, it shall be broadcast by both video and audio. Written public comments will not be considered where sworn testimony is required.

Topic: Regular Meeting of Mayor and Council of Harrington Park

Time: Mar 15, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/97885048986?pwd=d3NSYlJlSXNrQmJDTVREZlRqR3hPUT09>

Meeting ID: 978 8504 8986

Passcode: 858092

One tap mobile

+13017158592,,97885048986#,,,*858092# US (Washington DC)

Dial by your location

+1 929 205 6099 US (New York)

Meeting ID: 978 8504 8986

Passcode: 858092

Find your local number: <https://zoom.us/j/axik9I0rO>

A copy of the agenda and all meeting materials is available at the Borough of Harrington Park website: www.harringtonparknj.gov.

A copy of the agenda and meeting materials may also be requested by calling the Borough Clerk or submitting an e-mail request. Members of the public may contact the Borough Clerk to obtain copies of the meeting materials by calling the Borough Clerk at (201) 768-1700 during the hours of 9:00 a.m. to 4:00 p.m. during normal business days, or by e-mail: Ann Bistriz clerk@harringtonparknj.gov

All documents for matters on the agenda are electronically on file at the following website: www.harringtonparknj.gov.

Please be aware that the audio connections for all members of the public will be muted for the duration of the meeting, except for those periods when public comments are received. Members of the public may use the “raise your hand” feature on Zoom, or may e-mail the Borough Clerk during the meeting, to request to participate in public comment portions. Any member of the public will be unmuted for the purpose of making public comment, or may submit a comment by e-mail to be read by the Borough Clerk. The Borough Clerk’s e-mail is: clerk@harringtonparknj.gov. The Borough may impose time limitations on the length of individual speakers.

Members of the public are advised that the video and audio of the meeting will be recorded and will be a public record subject to disclosure pursuant to the Open Public Meetings Act. The Borough reserves the right to post the recording of the meeting to its website.

Formal Action may or may not be taken.

Any other business that may come before the Council

(PAH) Call Meeting to Order

Time: 7:01pm

Mayor’s Announcement:

In compliance with Chapter 231, Public Law 1975, adequate notice of the meeting was made. It is included in the Annual Meetings posted on the bulletin board in the Municipal Center. Copies have been emailed to the BERGEN RECORD and SUBURBANITE. A copy has been filed with the Borough Clerk, and copies have been provided to individuals requesting the same.

(ALB) Roll Call:

	PRESENT	ABSENT
NAPOLITANO(AN)	x	
EVANELLA (GE)	x	
WALKER (DW)	x	

BROCKMAN (JB)	x	
PEDERSEN (JP)	x	
CHUNG (JC)	x	

Also present:

Ms. Ann H. Bistriz, Borough Clerk (ALB)

Mr. John Dineen, Borough Attorney

Mr. Kunjesh Trivedi

(PAH) Flag Salute

(PAH) Suspend the Regular Order of Business

Motion GE

Second JP

Vote AIF

(PAH) Meeting Open to the Public

Motion GE

Second JP

Vote AIF

Mr. Carlos Vargas, Parkhill Road

Mr. Vargas expressed the concerns of an ongoing situation with his neighbor. Since the beginning of this year, his neighbor's rooster has caused great disturbance to the neighborhood. The rooster crows all day and has adversely affected his ability for him and his wife to work professionally in their home offices. Both have had to have relocate to locations such as the garage and the basement so they are not disturbed while working from home. Even his children are disturbed when going to school remotely. In addition, as the weather gets warmer, he would like to be able to spend peaceful time in his backyard. According to Mr. Vargas, 10 homes in the vicinity of 5 Amelia Court are impacted.

Mr. Vargas has reached out to Mr. McQuade, Property Maintenance Official, Ann Bistriz and Louis Apa, Sanitarian. However, there has not really been any solution. He feels that he is living in suburbia, not on a farm, and should be allowed to enjoy peace and quiet.

Mr. Vargas played a video of the rooster crowing.

PAH asked if this happens all day or just at certain times. Mr. Vargas responded that the homeowner is trying to keep the rooster inside most of the time, but as soon as it gets outside it starts crowing-it can start as early as 9am to about 7pm at night.

JP inquired to JRD about our current ordinance that is already in place. JRD advised that the current conditions for chickens is no more than 6 per 20 square feet. There is no provision for singling out roosters, however, there is a section that addresses public nuisance and disturbance of peace. JRD will reach out to the enforcement officials to determine why this has not been enforced under these conditions.

Mr. Vargas stated that he has spoken with his neighbor and she had assured him that she was trying to find an appropriate home for the rooster.

Mr. Eric Anderson, Parkhill Road

He also has been adversely affected by the rooster in the neighborhood. He added that this was not the first time he has had this issue with the same resident. This happened about 10 years ago.

AN asked if the rooster was not such a pest, or so loud, would it be a problem. Mr. Vargas answered that he would not have a problem, however, once there is a rooster then there would be more chickens and what would keep the issue from getting bigger.

PAH thanked Mr. Vargas and Mr. Anderson for bringing this to the attention of Council. Now that all have a thorough understanding of the circumstances, Council will do their due diligence to review the ordinance and provide a response as soon as possible.

(PAH) Close the Meeting to the Public and Return to the Regular Order of Business

Motion GE

Second JP

Vote AIF

(PAH) Minutes Approval

February 8, 2021

Motion GE

Second JP

Vote AIF

February 16, 2021

Motion GE

Second JP

Vote AIF

(PAH) Consent Agenda-Resolutions-

All matters listed under this section are considered to be routine by the Borough Council and will be enacted by one motion as listed below. There will not be separate discussion of these items. Should discussion be desired, that item will be removed from the Consent Agenda and will be considered separately under New or Old Business on the Agenda.

Consent Approval

2021-63 To Enter Grant Agreement Community Development ADA Accessibility at Borough Hall (A)

2021-64 Bergen County Shared Service Road Resurfacing Agreement (B)

2021-65 AGREEMENT FOR PROFESSIONAL SERVICES NEGLIA ENGINEERING ADA SIDEWALK IMPROVEMENTS (C)

2021-66 Authorizing the Transfer of 2020 Operating Budget Appropriations Reserves (D)

Motion AN

Second DW

No Discussion

Roll Call Vote AIF

Individual Committee Reports

(PAH) Mayor Hoelscher

(AN) Planning Bd., Bd. of Adjustment, Construction, Fire, Ambulance

Ambulance Corps:

15 calls, 2 mutual aid

Fire Department:

6 calls, 2 drills, 1 each of Department, Company, Chiefs and Interboro meetings

1 Walk through at Allegro

Pumper Vehicle came in to replace the 1989 Piece truck

Thank you to all members for approving this new vehicle-it will be put to good use and was well overdue.

(GE) Police, Municipal Court, Personnel

February Report:

243 calls, 110 traffic details

7 summonses for equipment only, 17 YTD

3 warnings

5 collisions with 1 injury.

No DUI

6257 miles driven, 10,104 miles YTD

OT \$4336, YTD \$8990

YTD OT has been impacted by several days of officers out due to illness and vacation time.

Waiting to hear from the State regarding the funds available for purchasing body cams for the department, The mandate starts later this year.

(DW) DPW, Building & Grounds, Sanitation/Recycling

February Report:

Snow, snow and more snow....

Road were plowed extensively for each snow storm reported for January 24, Feb 7, 14, 17 and 18. Snow was dumped on Edgewood Road. Catch basins were constantly addressed to keep the water off the roads. Recycling center was cleared for the residents. Our salt truck broke down but was temporarily fixed to get the job done for the town. There was a county salt shortage, however, Mr. Nappi had planned accordingly and the Borough was able to appropriately salt the roads.

The school was supplied with salt as per agreement.

Mr. Simpson was able to make 3 batches of brine in Norwood.

February 20-22 the Department spent the time to eliminate as much slush off the roads as possible for safe travel.

Roadside trash collection took place on February 26 from Schraalenburgh Road through to Blanch Avenue.

Lawn mowers have been worked on to be ready for Spring Clean up of municipal grounds

DEP inspected the Borough Compost site on Highland Field-no recommendations-satisfactory conditions.

13,180 pounds of white goods delivered to market

24.71 tons of single stream collected

No Recycling Center report

(JB) Board of Health, Environmental Commission

(JP) Finance, Admin. & Exec., Grants

Departments are meeting to discuss budgets

Bills list will be late, but ready by the end of the month

Senior Tax Freeze Forms are out and are due to be filed by November 1, 2021.

(JC) Recreation Commission, Liaison to Board of Education, Public Information

Spring sports will begin-Baseball, Softball, T-ball

Working the program with pods that relate back to school groups to help prevent any viral spread. 160 students have signed up to participate this year. Field scheduling is tight, but all groups have been addressed.

Lacrosse reached out for additional field time since other towns cannot provide ample field usage. Harrington Park adjusted the schedule as much as they could to help accommodate the group.

Recreation is working with Neglia Engineering to put together an Open Space grant for replacement of tennis courts. Neglia Engineering will be attending a May meeting to discuss.

Harrington Park School will not be holding their sports program this year.

(ALB) Borough Clerk/Administrator

Commander Simpson American Legion Post #30 plans to hold the Memorial Day Parade this year.

Old Business

(AN) Will be scheduling a meeting with members of the Finance Committee to discuss a new vehicle for the building inspectors and the fire marshal.

After Mr. Zavardino retires, there will still be a need for someone to perform RCCOs since the Council did not approve the amended Ordinance eliminating this inspection. He will be discussing with Finance Committee. The Fire Marshal has the training to do this service and is in the buildings for the fire and carbon monoxide inspections. For now he will fill in until someone is officially appointed to the position.

GE added that AN provided a professional and organized interview process for filling all the positions necessary for the Building Department.

PAH thanked AN for the process of hiring all the individuals-it is not an easy task.

(GE) Police Chief Salary Addendum E

Motion GE

Second AN

Discussion GE noted that the Chief requested that GE reiterate that he (Chief) was profoundly disappointed in Council's decision, however, he understands their position.

AN added that he spoke with the Chief to discuss his opinion that it is not always easy to make some decisions under the financial constraints placed on Council.

Roll Call Vote AIF

(JB) Discussed the request for provision to allow dogs in the parks on leashes.

JRD advised that it is not a problem. A simple amendment is what will be required by ordinance. He can put something together for the next meeting. JB wanted to keep it clear on who is responsible for enforcement.

New Business

(AN) Requested that someone reach out to Mr. Plescia in response to his letter to the Mayor and Council addressing Lacrosse. JC explained that Mr. Plescia attended a Recreation Meeting and was part of the discussion, however, she will reach out to him on Council's behalf.

All of Council received a CSX Quiet Zone request from a resident from the Northern Valley area. JRD has reached out several time to CSX regarding this issue, along with a plethora of other items. There is a large liability risk that is placed upon the Borough. In addition all municipalities down the line need to participate, or the concept does not work.

There is little support from the Federal government nor does not seem to be any funding or grants to address this issue.

The Borough has held seminars with CSX which included inviting the public, government officials and CSX representatives, however, nothing comes to any conclusion.

JRD will review his files and determine what may be another response to such a request.

(JC) Bruce Marshall and Barry Wood were thanked for helping some of our seniors get vaccinated. JC will reach out to Mr. Marshall to see if he can help put together something for the community. While it may be difficult for us to set up some sort of clinic (such as the flu clinic), perhaps there is a pathway to a local pharmacy that can be helpful.

JB hopes that the resolution supported by the Board of Health and the Mayor and Council would provide a solution, sooner than later. There are many pieces of the puzzle that have to go together to form a local clinic, such as man power, medical professionals, and

storage. Unfortunately, the northern valley area does not receive much support of recognition for some of our efforts, however, there is hope that collectively, the area will be heard and there could be some solutions.

JC would like to be able to provide some form of support of help to the senior community. Perhaps providing paper forms and guidance so residents would not have to wait and extended period of time.

PAH added that there was some feedback from the event at Brookside Village. Some residents at that location were unhappy with the event. However, that is something that a Brookside residents needs to address with the Executive Board there. Providing these vaccines was done privately and without the Borough being involved. It was an event with good intention, however, there was a bit of misinformation associated with the program. The Borough could only participate in a program if it open to all residents.

JC will be following up with a variety of venues to see what may be available.

(PAH) Open the Meeting to the Public

Motion
Second
Vote

(PAH) Close the Meeting to the Public

Motion
Second
Vote

Ordinances

(JB) Ordinance #751 First Reading Addendum-F

Amendment to Ordinance §350-45-Lamoid or Any Member of the Camelidae Family
Motion GE
Second DW
Discussion: No further discussion
Vote AIF

(AN) Ordinance #752 First Reading-Addendum-G

Amendment to Ordinance 297-32 Accessibility to Fire Hydrants

Motion AN
Second GE

Discussion AN explained that this is to address the excess snow that covers our hydrants. The Fire Department spends time to dig out what they can, but many homeowners do not take this responsibility. GE noted that he has always had a hydrant on his front lawn and taken care of it so the Fire Department would not have to. With the current Suez line work being done in the area, the hydrant was removed and placed in another location.

AN will be following up with a request of donation of hydrant markers through Allegro. Council is favorable for issuance of warnings first, by the Property Code Official rather than an immediate summons.

Vote AIF

(PAH) Motion for Closed Session Time: 7:39pm

Second AN

Vote

RESOLUTION

WHEREAS, N.J.S.A. 10:4-12 permits a public body to conduct business in Closed Session during a public meeting; and

WHEREAS, the Mayor and Council deem it necessary to discuss certain matters in Closed Session as permitted by the aforesaid statute.

(AN) LOSAP Potential Litigation

BE IT FURTHER RESOLVED that discussion of the aforementioned subjects may be made public at such time as disclosure of the discussion will not detrimentally affect the interest and Borough as to said discussion.

Return to Open Session 7:58pm

GE Requested a follow up on payment to the Historical Society for the specialized repairs that were made to damaged headstones at the cemetery on Tappan Road. The damaged was submitted last year to JIF and part was covered by the insurance policy.

KJT stated that payment will be processed by the end of this month once a Bills List is processed.

GE will communicate this to the Historical Society.

Adjournment-Time: 8:17pm

Motion: GE

Second: JP

Vote: AIF

Addendum A

Resolution

2021-63

To Enter Grant Agreement

Community Development ADA Accessibility at Borough Hall

BE IT RESOLVED, that the Mayor and Council of the Borough of Harrington Park wishes to enter into a grant agreement with the County of Bergen for the purposes of using 88,521.00 in Community development Block Grants for FY2020-2021 entitled ADA Accessibility at Borough hall in Harrington Park, New Jersey.

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Mayor Paul A. Hoelscher to be a signatory for the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council authorizes Ann H. Bistriz to sign all county vouchers in connection with the aforesaid project, and

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Borough of Harrington Park is liable for any funds not spent in accordance with the Grant Agreement, and that liability of the Mayor and Council is in accordance with HUD requirements.

**Addendum B
Resolution
2021-64**

Bergen County Shared Service Road Resurfacing Agreement

Whereas, It is a prerequisite to and in consideration of the Bergen County's(County)scheduling of road resurfacing to have an approved shared service agreement with each municipality; and

Whereas, each individual municipality agrees to inspect the conditions of all curbs and ramps and inspect sanitary sewers; and

Whereas, NJDOT and Federal ADA regulations require compliance with the ADA at all altered crosswalk locations along roads to be resurfaced; and

Whereas, the County will restripe the roadways, install traffic markings and replace crosswalks and parking stalls subject to the conditions of the County Shared Service Road Resurfacing Agreement; and

Whereas, the County uses NJDOT monies to fund the resurfacing program.

Therefore be it Resolved, that the Mayor and Council of the Borough of Harrington Park shall expedite the County's Shared Services Agreement for Road Resurfacing and adhere to the terms and conditions of the contract.

**Addendum C
Resolution
2021-65**

**AGREEMENT FOR PROFESSIONAL SERVICES
NEGLIA ENGINEERING ADA SIDEWALK IMPROVEMENTS**

WHEREAS, Borough of Harrington Park has chosen to enter into a grant agreement in the amount of \$88,521.00 with Bergen County Community Development to construct an ADA Accessibility at Borough Hall; and

WHEREAS, Neglia Engineering Associates has provided the Borough with an Agreement for Professional Services for this project; and

WHEREAS, the Agreement for Professional Services includes a lump sum cost of \$9,195.00 representing Engineering and Survey Services, On a time/hourly basis (fee schedule) not to

exceed \$8825.00 representing Construction Management Services, and on a material basis (schedule in contract) not to exceed \$1,500.00 representing Reimbursable Expenses; and

WHEREAS, the CFO has certified that these funds shall be appropriately budgeted for, through bonding during April 2021; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute the agreement of services for the Bergen County Community Development Block Grant project for Neglia Engineering Associates, 34 Park Avenue, Lyndhurst, New Jersey.

Addendum D
RESOLUTION
2021-66
Transfer of Funds

Resolution: Authorizing the Transfer of 2020 Operating Budget Appropriations Reserves

WHEREAS, Title 40A:4-58 provides that should it become necessary, during the last two months of the fiscal year, to expend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefore and there shall be an excess in any appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, the Governing Body may by resolution setting forth the facts (adopted by not less than 2/3 vote of the full membership thereof), transfer the amount of such excess of those appropriations deemed to be insufficient.

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Harrington Park that the Chief Financial Officer be and is hereby authorized to make the following transfers in the 2020 Operating Budget

To:

Clerk OE	\$789.02
20-120-200	
Tax Assessment	\$26.03
20-150-100	
Police SW	\$7,211.45
25-240-100	
Board of Health SW	\$333.53
27-330-100	
Municipal Court SW	\$0.12
43-490-00-100	

From:

Gasoline	\$3,000.00
31-460-200	
Finance SW	\$3,000.00
20-130-100	
Tax Assessment OE	\$300.00

20-150-200
Revenues OE \$2,060.12
20-145-200

**Addendum E
Resolution
2021-67**

Police Chief Salary 2021

WHEREAS, the Mayor and Council have established by ordinance a Police Department; and

WHEREAS, the Police Department of the Borough of Harrington Park by ordinance has appointed Albert Maalouf to the position as chief; and

WHEREAS, the Mayor and Council have signed a contract with Chief Albert Malouf which provides that monetary salary increases/changes to the contract be negotiated for the years 2021 and 2022.; and

WHEREAS, the Mayor and Council and the Chief have negotiated in good faith;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park, County of Bergen, State of New Jersey, as follows:

1. The Chief's salary for the year 2021 shall be increased by 2%. All other conditions of such contract remain in full force and effect, the Chief Financial Officer certifying that sufficient funds are available for same; and
2. The Mayor, Clerk or such authorized person shall execute and take such action as necessary to implement the negotiated change.

**Addendum F
Ordinance #751**

**Amendment to ordinance §350-45
Lamoid or Any Member of the Camelidae Family**

WHEREAS, from time to time Borough of Harrington Park in furtherance of its obligation to the community health safety and welfare of its residents must review its ordinances an update them according to community standards and needs;

WHEREAS, the Borough has determined that §350-45 needs to be updated to meet community standards and needs;

NOW THEREFORE BE IT ORDAINED that the term "Hoofed Animal" however defined or wherever occurring within the existing codes of the Borough of Harrington Park shall include "Lamoid or any member of the Camelidae Family"
§350-45

HOOFED ANIMAL

Any animal which is a solid-hoofed or cleft-hoofed quadruped, including but not limited to horses, ponies, sheep, goats, cows, mules, donkeys, LAMOID OR ANY MEMBER OF THE CAMELIDAE FAMILY and swine, whether mature animals or their young.

Be it Further Ordained that the Borough clerk and such other authorized persons shall appropriately edit and amend the Ordinances to reflect the action referenced herein.

Addendum G Ordinance #752

Amendment to Ordinance 297-32 Accessibility to Fire Hydrants

WHEREAS, emergent conditions as a result of snowfall/ice imperil the health welfare and safety of all residents of the Borough of Harrington Park;

WHEREAS, it is the obligation of landowners abutting, touching or contiguous to public sidewalks, walkways and fire hydrants to clear such public way and fire hydrants;

WHEREAS, the Mayor and Council have duly considered the proposed amendment below;

AMENDMENT TO ORDINANCE §297-32

The owner or owners, or tenant or tenants, of lands abutting or bordering upon a sidewalk in a public street, avenue, highway or public place shall be responsible for the removal of all snow and ice from such sidewalk or applying ice-melting compounds within 24 hours after the same shall be formed or fall thereon. In addition to the following responsibility, any owner or tenant of lands abutting a municipal fire hydrant shall be required to remove all snow and ice accumulation within a 3 foot radius of such fire hydrant, providing that such hydrant shall be readily visible to emergency services all for the benefit of the health safety and welfare of Harrington Park residents.

In addition to all other remedies, failure to police/ clear snow around fire hydrants shall constitute an ordinance violation, penalties to be assessed by the Municipal Court of not less than \$100 nor more than \$500 for each day of continued violation, such violation to be issued by the Building Department Code Enforcement Official (Property Maintenance).